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REMARKS

Summary

This Amendment is responsive to the final Office Action mailed on July 2, 2003. Claims 28-54 are cancelled. Claims 1-27 are pending.

As a preliminary matter, Applicants would like to thank the Examiner for the courteous and productive telephone conference held on August 29, 2003.

Claims 1-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moore (US 6,330,575).

Applicants respectfully traverse these rejections in view of the following comments.

Discussion of Moore

As discussed with the Examiner during the August 29, 2003 telephone conference, Moore discloses a method for designing a web page for use in a distributed electronic commerce system (Col. 3, lines 31-33). In the distributed electronic commerce system disclosed by Moore, the functions of the transaction server are separated from those of the web storefront and the inventory and financial database (Col. 4, lines 43-46).

In contrast, with the present invention, the electronic transactions flow through an intermediary, which electronically handles the orders from the members, communicates the selected offerings to the service provider, and provides the organization with a consolidated invoice for all offerings ordered by its employees during a predetermined time period.

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The purpose of the intermediary of the present invention is to facilitate the entire transaction by providing a searchable database of service providers and their offerings, enabling the members to select a service provider from the database, and allowing members to order an offering by selecting it from the database. The order is electronically communicated to the intermediary along with the billing information for the order. The intermediary communicates the orders to the service provider and after a predetermined time period, provides a consolidated invoice to the organization for all orders ordered by its members during that time period.

Moore does not disclose or remotely suggest an intermediary as claimed by Applicants.

Further, as discussed with the Examiner, Moore does not disclose or remotely suggest providing a consolidated invoice from the intermediary to an organization for all offerings ordered by the members of that organization during a predetermined time period, as set forth in Applicants' claims. Moore discloses that an invoice is provided to the customer after each order (Col. 5, lines 24-26). In other words, Moore discloses a one-to-one correlation between an order and an invoice. Further, since the invoice of Moore includes only a single order, it is not a consolidated invoice as claimed by Applicants.

In contrast, the consolidated invoice set forth in Applicants' claims is for all offerings ordered by the members of the organization during a predetermined time period. In other words, Applicants' consolidated invoice contains orders made by a plurality of members of an

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organization, not just one order from a single customer as in Moore. Therefore, in Applicants' system, there is a many-to-one correlation between orders and an invoice. Further, the consolidated invoice of the present invention includes all orders made by the members during a predetermined time period. In contrast, Moore discloses that an invoice is sent at the time the transaction is concluded and includes only the order made at that time.

During the August 29, 2003 telephone conference with the Examiner, the Examiner agreed that Moore did not provide a consolidated invoice as claimed by Applicants.

Moore does not disclose or remotely suggest Applicant's claimed invention. With the present invention, the intermediary provides a centralized resource in the form of an online searchable database for a member, such as an employee of a corporation, to order goods or services, such as meals, from a service provider, such as a restaurant. The intermediary also absorbs payment, collection and invoicing functions on behalf of the organizations and service providers. The distributed system of Moore does not provide any of the forgoing advantages of the present invention.

Applicants respectfully submit that the present invention would not have been obvious to one skilled in the art in view of Moore, taken alone or in combination with any of the other prior art of record.

Further remarks regarding the asserted relationship between Applicants' claims and the prior art are not deemed necessary, in view of the amended claims and the foregoing discussion. Applicants' silence as to any of the Examiner's

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comments is not indicative of an acquiescence to the stated grounds of rejection.

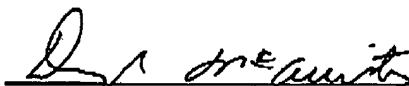
Withdrawal of the rejections under 35 U.S.C. § 103(a) is therefore respectfully requested.

Conclusion

The Examiner is respectfully requested to reconsider this application, enter the present amendment, allow each of the pending claims and to pass this application on to an early issue. If there are any remaining issues that need to be addressed in order to place this application into condition for allowance, the Examiner is requested to telephone Applicants' undersigned attorney.

OFFICIAL

Respectfully submitted,



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